

T10N-R01W-01_0000_MCS

PLAT OF SURVEY - RETRACEMENT BOUNDARY
A PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF
SECTION 1, T10N, R1W MONROE CO., INDIANA

JOB No. 5938

Client Name: CLENDENON

Owners Name: HORNUNG, DR 213 page 154

Wash 4-01

RR SPIKE FD
0.2' B.G. @ CENTERLINE
OF SR 37, NW CORNER
NW 1/4 NW 1/4 SEC. 1

BALES
#2003-023090

Responsible Surveyor: Marty J. James

Signature: *Marty J. James*
Date: 4-27-07
LS29900010

0 50 100
SCALE 1"=100'

(ASSUMED BASIS OF BEARINGS)

N 00°00'00" E 1308.61'(M)

5/8" REBAR SET
AT 30' R-O-W

N 89°31'48" E 30.03'
N 86°56'16" E 418.05'
MAG NAIL
SET FLUSH

STATE OF INDIANA
DIV. OF FORESTRY
ROLL #77 PG 59

THIS DEED
OVERLAPS
SUBJECT

HORNUNG
DR213 PG154
1.07 ACRES

N 00°00'00" E 392.80'

BALES
#2003-023090

TREE LINE

15' BLDG SETBACK

SAT. DISH

SETBACK

70' BLDG SETBACK

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70' BLDG SETBACK

CENTERLINE OLD SR 37
(DIXIE HIGHWAY)
21' ASPHALT

S 59°30'05" E 108.31'
MAG NAIL
SET FLUSH

MAG NAIL
SET FLUSH

MAG NAIL
SET FLUSH

"T" POST FD
0.6' NORTH
OF THE LINE

P.O.B.

CONCRETE DNR FORESTRY
DIVISION MARKER FD,
0.3' A.G., SW CORNER
NW 1/4 NW 1/4 SEC. 1

S 89°31'48" W 324.53'
5/8" REBAR FD
FLUSH, 0.62' NORTH
OF THE LINE

STATE OF INDIANA
DIV. OF FORESTRY
ROLL #62 PG153

N 89°31'48" E 2561.50'(M)

4"X 3" STONE W/"+"
FD., 0.2' A.G., SE CORNER
NE 1/4 NW 1/4 SEC. 1

SHEET 1 OF 4

**New Surveyed Description
Job # 5938**

A part of the Northwest Quarter of the Northwest Quarter of Section 1, Township 10 North, Range 1 West, Monroe County, Indiana more particularly described as follows:

Beginning at a concrete marker at the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 1; thence NORTH 00 degrees 00 minutes 00 seconds East along the West line of said quarter quarter 392.80 feet to a 5/8" rebar with yellow cap stamped "BRG PC50920004", said point being at the intersection of the Westerly Right-of-Way of Old State Road 37 (Dixie Highway) (30 feet from centerline); thence leaving said quarter quarter line and said Right-of-Way line NORTH 89 degrees 31 minutes 48 seconds East 30.03 feet to a mag nail in the centerline of said Old State Road 37 and to a non-tangent curve to the left having a radius of which bears NORTH 86 degrees 56 minutes 16 seconds East 418.05 feet; thence Southeasterly along said centerline and curve through a central angle of 55 degrees 46 minutes 56 seconds an arc length of 407.01 feet to a mag nail; thence continuing along said centerline SOUTH 59 degrees 30 minutes 05 seconds East 108.31 feet to a mag nail on the South line of said Northwest quarter quarter; thence leaving said centerline and along said South line SOUTH 89 degrees 31 minutes 48 seconds West 324.53 feet to the Point of Beginning. Containing 1.07 acres, more or less.

This survey was executed according to survey requirements contained in Sections 1 through 19 of 865 IAC 1-12.

This certification does not take into consideration additional facts that an accurate and correct title search and/or examination might disclose.

Evidence of easements have not been located in the field and are not shown on this survey drawing.

Subject to the above reservation, I hereby certify that the survey work performed on the project shown hereon was performed either by me or under my direct supervision and control and that all information shown is true and correct to the best of my knowledge and belief.

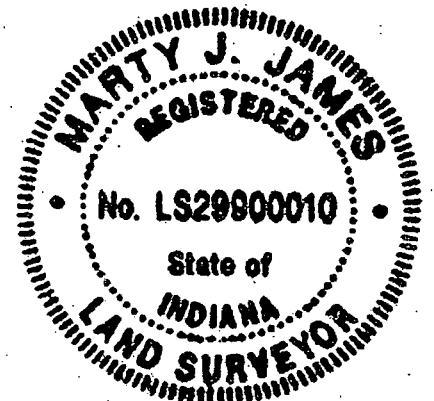
Certified this 27TH day of April, 2007

Marty J. James
Marty J. James

Registered Land Surveyor No. LS29900010

State of Indiana

S:\Dplus\data\00005938\Admin\New Surveyd Description.txt



SHEET 2 OF 4

REPORT OF SURVEY
Job # 5938

In accordance with **Title 865, 1-12-1 through 1-12-30** of the **Indiana Administrative Code**, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of:

- (a) Reference monuments of record
- (b) Title documents of record
- (c) Evidence of active lines of occupation
- (d) Theoretical Uncertainty of Measurement "Tu"

THEORETICAL UNCERTAINTY OF MEASUREMENT "Tu": The Tu of the corners of this parcel(s) are within the requirements for an urban survey (0.07 feet plus 50 ppm) per IAC, Title 865 (Theoretical uncertainty of measurement is the radius of a circle which circumscribes an area containing the probable true location of a specified point as determined by the precision of instruments and procedures employed in the performance of a survey).

In regard to monuments, point (a) above, in many cases the original section corners were not perpetuated or have been obliterated with time and therefore existing topographical features and monuments of modern origin provide the only evidence of the corner's most PROBABLE and/or ACCEPTED POSITION. In the absence of CREDITABLE physical and/or record evidence then proportional measurement has been used to establish the points of division of the section.

Section corners found or established by topographical features, monuments of modern origin or proportional measurement will be labeled as "ACCEPTED CORNER" on the plat of survey and are subject to undiscovered evidence regarding the true location of said corners. Uncertainty that surrounds an "ACCEPTED CORNER" is inherently passed to any parcel corner dependent upon the position of the section corner. Uncertainty of "ACCEPTED CORNERS" cannot be determined as the position of the "TRUE or ORIGINAL" corner is unknown. If an uncertainty is reported it is only an estimate.

In regard to "ACTIVE LINES OF OCCUPATION", point (c) above: ACTIVE refers to lines which are marked by visible, obvious, well defined and maintained, man-made or placed objects, such as, but not limited to, fences, hedges and retaining walls. The uncertainty cited for a line of occupation is general in nature and is NOT intended to be specific for every point along the line. Therefore portions of the occupation line may vary from the surveyed line by a distance greater or less than uncertainty cited in this report.

SHEET 3 OF 4

This survey was performed at the request of Sherry Clendenon to prepare a staked survey on a parcel and show the building setback lines on the plat of survey.

The property is currently in the name of John W. and Carol L. Hornung as found in Deed Record 213, Page 154 in the Monroe County Recorders Office.

MONUMENTS FOUND: All in Section 1, Township 10 North, Range 1 West

1. Northwest corner of Section 1: Railroad spike at centerline of Old State Road #37, origin unknown.
2. Southwest corner of Northwest Quarter Northwest Quarter: DNR Division of Forestry concrete monument, no recorded survey found.
3. Southeast corner Northeast Quarter Northwest Quarter: 4" x 3" stone monument, origin unknown.
4. 5/8" rebar near Southeast corner subject tract: Set by Forestry, measures 0.62 feet North of line as shown.

DEED ANALYSIS:

There is an overlap between the subject deed and the adjoining deed of record to the East (State of Indiana Division of Forestry, Roll #77, Page 59). There is also some uncertainty in the intent of the subject deed as to describing to the centerline of the Dixie Highway (Old State Road #37) or to the Right-of-Way.

ESTABLISHMENT OF LINES AND CORNERS:

Monuments #1 through #3 above were all accepted as good with no associated uncertainty. The monument #4 was found to be 0.62 feet North of the line between #2 and #3 above. The Indiana Department of Transportation was contacted to acquire a copy of the Right-of-Way widths along Old State Road 37, neither the Indianapolis office or the Seymour office could find any record of Right-of-Way. The apparent Right-of-Way of 30 feet, based on placement of existing utilities was used for this survey. There is an encroachment in excess of 12 feet along the gravel drive as shown along the South property line.

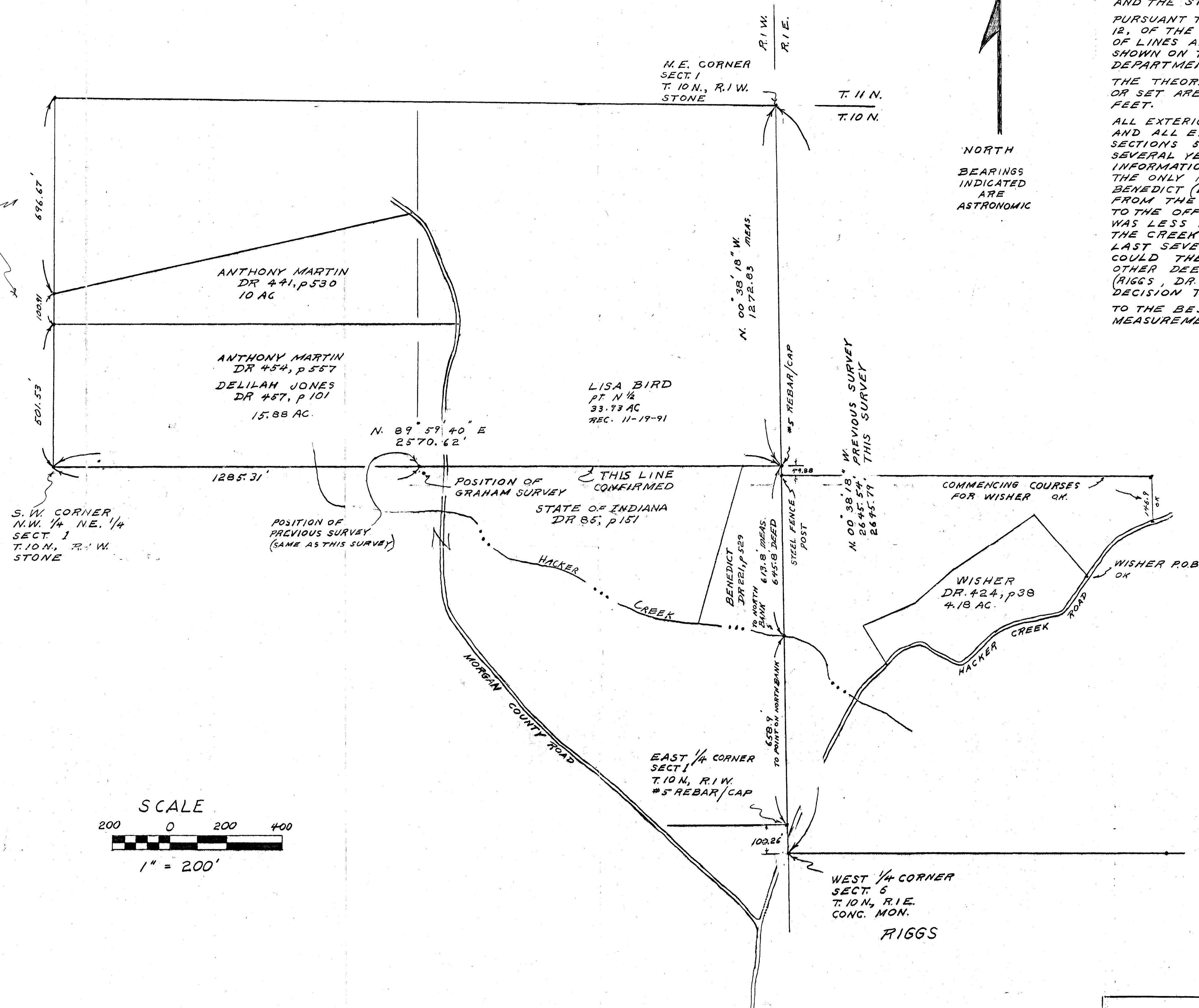
As a result of the above observations, it is my opinion that the uncertainties in the location of the lines and corners established on this survey are as follows:

Due to Availability and condition of reference monuments; less than 1 foot in all directions.

Due to Occupation or possession lines; in excess of 12 feet along the South line and 80 feet along the West line as shown.

Due to Clarity or ambiguity of the record description used and of adjoiners' descriptions and the relationship of the lines of the subject tract with adjoiners' lines; Overlap as discussed above. There may be rights to the subject parcel North of the established North line, everything South and West of the centerline of the highway would include a strip to a point at the found railroad spike at the Northwest corner of the section thus cutting off all access to the "Bales" property.

WEST LINE DEED CALLS
NOT MEASURED



SURVEYORS REPORT
RESURVEY PROPERTY LINE COMMON TO MR. ANTHONY MARTIN
AND THE STATE OF INDIANA:

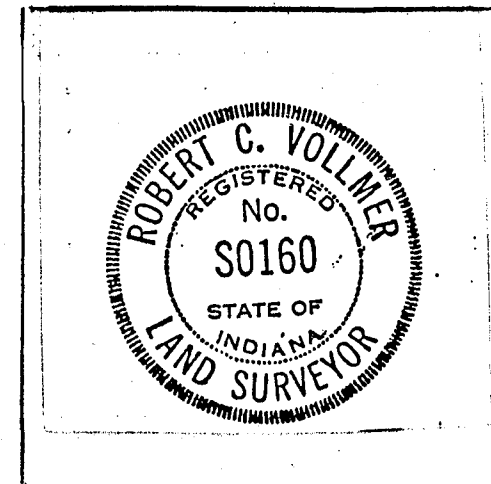
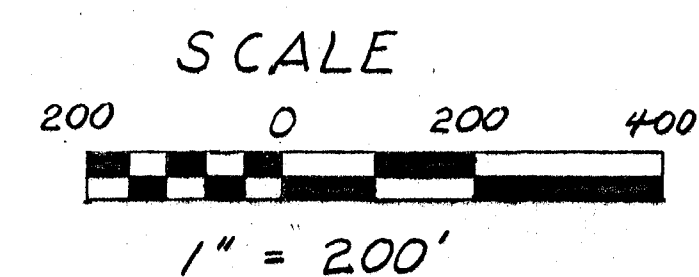
PURSUANT TO TITLE 865, CHAPTER 12, SECTIONS 1 THROUGH
12, OF THE INDIANA ADMINISTRATIVE CODE, THE LOCATION
OF LINES AND CORNERS, AND RELATED EVIDENCE ARE
SHOWN ON THIS PLAT. FILE 51-62 OF THE INDIANA
DEPARTMENT OF RESOURCES, ENGINEERING DIVISION.

THE THEORETICAL UNCERTAINTY OF ANY POINT MEASURED
OR SET ARE CONSIDERED TO BE NO GREATER THAN 0.25
FEET.

ALL EXTERIOR CORNERS FOR SECTION 1, T.10N., R.1W.,
AND ALL EXTERIOR AND MANY INTERIOR CORNERS FOR
SECTIONS 5 AND 6, T.10N., R.1E., HAVE BEEN SURVEYED
SEVERAL YEARS PREVIOUS. (FILE 51-58). ALL RELATED
INFORMATION HARMONISE.
THE ONLY INCONSISTENCY FOUND WAS REGARDING THE
BENEDICT (DR 221, p 529) DEED CALL FOR 6458 FEET
FROM THE HACKER CREEK NORTH BANK GOING NORTH
TO THE OFFSET CORNER AS SHOWN. MY MEASURE
WAS LESS BY APPROXIMATELY 32 FEET. ASSUMING
THE CREEK BANK NOT CHANGED MUCH OVER THE
LAST SEVERAL YEARS, THE STATE-MARTIN LINE
COULD THEORETICALLY BE SET FARTHER NORTH.
OTHER DEED CALLS THAT FIT (WISHER, DR 424, p 38) AND
(RIGGS, DR.) THAT ALSO FIT, SUPPORTED MY
DECISION TO DUMP THE BENEDICT DEED CALL.

TO THE BEST OF MY KNOWLEDGE THE LINES AND
MEASUREMENTS SHOWN ARE CORRECT.

Robert C. Vollmer



Robert C. Vollmer
July 2, 1997

STATE OF INDIANA DEPARTMENT OF NATURAL RESOURCES DIVISION OF ENGINEERING			
DESIGNED BY RCV	MORGAN MONROE STATE FOREST		
TRACED BY RCV			
SUBMITTED BY			
DATE			
ENGINEER PLANNING & DESIGN	RESURVEY OF THE NORTH LINE OF THE SOUTH 1/2 OF THE N.E. 1/4 OF SECT. 1, T.10N., R.1W.		
APPROVED BY	CHIEF ENGINEER	DATE	
APPROVED BY	DIRECTOR DIVISION OF	DATE	
APPROVED BY	DIRECTOR DEPT. OF NATURAL RESOURCES	DATE	
DATE MADE	DATES REVISED	SCALE	SHEET
7/2/97		1"=200'	1 of 1
			FILE NO. 51-62

BOOK 707

December 24th 1833

Layed off for Joshua Hoover & Samuel Gordon a portion of land on the N E qr of Section 20 T 8 R 1 W beginning in the center of the railroad on the section line 30 poles and 18 links west of the N E corner of said qr, running thence southward, with the center of the rail road 108 $\frac{1}{2}$ poles thence west 9 $\frac{3}{4}$ poles to a stake with the following witnesses trees Walnut 12 in diameter N 30 E 57 lks dist walnut 18 inches diameter S 80 W 37 $\frac{1}{2}$ lks dist walnut 12 S 19 E 87 8 lks dist Thence N 4 E 107 $\frac{1}{2}$ poles to section line Thence East 22 $\frac{1}{2}$ poles to the beginning containing 10 acres more or less

James Borland & chain bearers
Wm Alexander } sworn

James Woodburn
M C S

Sept 3rd 1833

Surveyed for Samuel Peterson & others in section (9) one T 10 R 1 W and established the following corners viz

N E corner of S W qr wit trees white walnut 8	Sugar 8 N 30° W 13 $\frac{1}{2}$ "
S E corner of N E qr of S W qr	Hickory 6 S 6° W 8 "
S W " " " " "	Sugar 2 N 87° E 40 "
N W " " " " "	Sugar 12 N 22° W 3 "
N W cor of S W qr of N W qr	Dogwood 4 N 68° W 16 "
N E cor of S W qr of N W qr	Apple tree 6 N 78° E 70 "
S E cor of S W qr of S E qr	Hickory 18 N 66 E 66 "
	Hickory 18 S 3° W 33 $\frac{1}{2}$ "
	Ash 8 N 20° W 19 "
	Hick 20 S 81 E 21 "
	Beech 8 N 6 E 29 "
	Beech 12 N 17 W 23 "

J Hacker & chain bearers
Wm Hacker } sworn

James Woodburn M C S
Depty

Established a corner in section 12 T 7 R 2 W for Wm Taylor on the line 70 poles East of S W corner of N W qr of said section witnesses trees Beech 12 N 9° E 24 $\frac{1}{2}$ Beech 6 S 38° W 37

John Tarnham & ch
George Carlson } be

James Woodburn

February 6th 1834

Ran the followin lines and made the following corners in section No one T 9 R 1 W for Edward Jackson George Jackson Jack Lenty Beginning at the N E corner of said section then S 85° W 31 8 poles 2 lks